

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH CAROLINA

IN RE:

Evelyn K. Harris,

DEBTOR(S)

Address: 488 Carolyn Drive, Spartanburg, SC
29306

Last four digits of Social-Security or Individual
Tax-Payer-Identification (ITIN) No(s)., (if
any): xxx-xx-1900

CASE NO: 21-00825

CHAPTER 13

NOTICE PURSUANT TO BANKRUPTCY RULE 3004

PLEASE TAKE NOTICE that Evelyn K. Harris, Debtor herein, has filed the attached Proof of Claim on behalf of Titlemax of South Carolina, Inc., pursuant to Rule 3004 of the Federal Rules of Bankruptcy Procedure. Despite notice to Titlemax of South Carolina, Inc., no claim has been filed in the above-captioned case.

s/ Däna Wilkinson

Däna Wilkinson
District Court I.D. No. 4663
365-C East Blackstock Road
Spartanburg, SC 29301
864-574-7944
864-574-7531 FAX
court@danawilkinsonlaw.com

Attorney for Debtors

July 23, 2021

Fill in this information to identify your case:

Debtor Evelyn K Harris

United States Bankruptcy Court for the: DISTRICT OF SOUTH CAROLINA ~CUSTOM 13 PLAN CLASSES

Case number 21-00825
(if known)

Official Form 410 Proof of Claim

4/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<p>Titlemax of South Carolina, Inc.</p> <p>Name of the current creditor (the person or entity to be paid for this claim)</p> <p>Other names the creditor used with the debtor</p>	
2. Has this claim been acquired from someone else?	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. From whom?</p>	
<p>3. Where should notices and payments to the creditor be sent?</p> <p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p>Where should notices to the creditor be sent?</p> <p>Titlemax of South Carolina, Inc. Legal Department PO Box 8323 Savannah, GA 31412</p> <p>Name, Number, Street, City, State & Zip Code</p> <p>Contact phone</p> <p>Contact email</p> <p>Uniform claim identifier for electronic payments in chapter 13 (if you use one):</p>	<p>Where should payments to the creditor be sent? (if different)</p> <p>Titlemax of South Carolina, Inc. Legal Department PO Box 8323 Savannah, GA 31412</p> <p>Name, Number, Street, City, State & Zip Code</p> <p>Contact phone</p> <p>Contact email</p>
4. Does this claim amend one already filed?	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Claim number on court claims registry (if known) Filed on</p>	
5. Do you know if anyone else has filed a proof of claim for this claim?	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Who made the earlier filing?</p>	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____									
7. How much is the claim?	\$ <u>13,279.11</u> Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).									
8. What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. <u>Car loan</u>									
9. Is all or part of the claim secured?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input checked="" type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: <u>2008 Nissan Titan</u> Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) <table style="width: 100%;"> <tr> <td style="width: 40%;">Value of property:</td> <td style="width: 10%;">\$</td> <td style="width: 50%; text-align: right;"><u>4,825.00</u></td> </tr> <tr> <td>Amount of claim that is secured:</td> <td>\$</td> <td style="text-align: right;"><u>4,825.00</u></td> </tr> <tr> <td>Amount of claim that is unsecured:</td> <td>\$</td> <td style="text-align: right;"><u>8,454.11</u> <small>(The sum of the secured and unsecured amounts should match the amount in line 7.)</small></td> </tr> </table> Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate (when case was filed) <u>0</u> % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable	Value of property:	\$	<u>4,825.00</u>	Amount of claim that is secured:	\$	<u>4,825.00</u>	Amount of claim that is unsecured:	\$	<u>8,454.11</u> <small>(The sum of the secured and unsecured amounts should match the amount in line 7.)</small>
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Amount of claim that is secured:	\$	<u>4,825.00</u>								
Amount of claim that is unsecured:	\$	<u>8,454.11</u> <small>(The sum of the secured and unsecured amounts should match the amount in line 7.)</small>								
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition: \$ _____									
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____									

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☒ No

☐ Yes. Check one:

- ☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____
- ☐ Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____
- ☐ Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____
- ☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____
- ☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____
- ☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies. \$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☒ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date July 23, 2021
MM/ DD / YYYY

/s/ Dana Wilkinson, No. 4663
Signature

Print the name of the person who is completing and signing this claim:

Name Dana Wilkinson, No. 4663

Title Attorney for Debtor

Company Wilkinson Law Firm
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 365-C East Blackstock Road
Spartanburg, SC 29301
Number, Street, City, State and Zip Code

Contact phone 864-574-7944 Email danawilkinson@danawilkinsonlaw.com

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DEBTOR(S)

Address: 488 Carolyn Drive, Spartanburg, SC
29306

Last four digits of Social-Security or Individual
Tax-Payer-Identification (ITIN) No(s)., (if
any): xxx-xx-1900

CERTIFICATE OF SERVICE BY MAIL

I hereby certify that I have on July 23, 2021 served a copy of the Notice Pursuant to Bankruptcy Rule 3004 and Proof of Claim on Gretchen D. Holland, Trustee, via electronic notice and on

Titlemax of South Carolina, Inc.
Legal Department
PO Box 8323
Savannah, GA 31412

Corporation Service Company
508 Meeting Street
West Columbia, South Carolina 29169

Nathan E. Huff
Cleary, West & Huff, LLP
1223 George C. Wilson Drive
Augusta, GA 30909

and

Ryan Schmidt
Bowen Law Group
7 East Congress St, Ste 1001
Savannah, GA 31401

by mailing copies thereof by United States Postal Service properly addressed and First Class postage prepaid.

s/ Däna Wilkinson
Däna Wilkinson
District Court I.D. No. 4663
365-C East Blackstock Road
Spartanburg, SC 29301
864-574-7944
864-574-7531 FAX
danawilkinson@danawilkinsonlaw.com